

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS - Disciplinary action against Sri P.Appa Rao, (f) DSP (AR), Nizamabad, now retired from Machilipatnam, Krishna District - Charges held 'Proved' - Penalty of withholding of 100% cut in pension permanently, under Rule 9 of A.P. Revised Pension Rules, 1980 - Orders - Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Ms.No. 131

Dated: 31/05/2013

Read the following:-

- Ref: 1) From the DGP, A.P., Hyd, Lr.Rc.No.477/O1 /07, dated 22.4.2012.
2) Govt.Memo.No.11786/A2/11786-1, dated 04.06.2012
3) From D.G.P., A.P., Hyd Lr.No.477/O1/2007, dated 09.07.2012
4) Govt.Memo.No.11786/A2/11786-1, dated 28.12.2012
5) From Sri P.Appa Rao, (f) DSP (AR), Nizamabad, now retired from Machilipatnam, Krishna Dist, application dated 2.01.2013
6) Govt. letter No.11786/Ser.I/A2/2012, dated 04.05.2013
7) From, the Secretary, Andhra Pradesh Public Service Commission, Hyderabad Letter No.38/RT-I/1/2013, dated 09.01.2013

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ORDER :

In the reference 1st read above, the D.G.P., A.P., Hyderabad has informed that, a charge memorandum under Rule 20 APCS (CC&A) Rules, 1991 was served on Sri P.Appa Rao, DSP AR, Nizamabad, by the D.G.P., Hyderabad, vide Memo dated 25.04.2008, of D.G.P., Hyderabad, for the following delinquencies:-

"Article-I: While working as DSP, AR, Nizamabad it is alleged that he obtained railway warrants from DAR, Nizamabad in the name of his subordinate for making journeys in upper classes of the train in order to commit a series of thefts of valuable articles of the fellow travelers. He misused his official position as DSP and misappropriated the railway warrants intentionally for his personal gains by using fictitious names as Kishan Rao and K.Vijay and also used the railway warrants in his name by showing his designation as C.I.

Article-II: On 27.10.07, he was arrested in Cr.No.173/2007 u/s 379 IPC of RPS, Visakhapatnam and remanded to judicial custody. His involvement was also found in theft cases in Cr.No.9/2007; 254/2007 u/s 379 IPC of Warangal RPS; in Cr.No.55/2006 u/s 379 IPC of Nidadavolu RPS and in Cr.No.121/2007 u/s 379 IPC of Eluru RPS. Thus, he exhibited gross misconduct unbecoming of a DSP, damaged the image of the police in the eyes of public, brought bad name to the department and thereby violated Rule 3 of APCS (Conduct) Rules, 1964".

2. The D.G.P., A.P., Hyderabad has further informed that, Sri K.Sreenivasa Reddy, IPS, D.I.G., Hyderabad Range, who was appointed as Enquiry Officer, has submitted his minutes together with his findings vide letter dated 17.05.2008 holding the **charges held proved**. As such, the D.G.P., A.P., Hyderabad, while furnishing the connected OE records, has requested the Govt., to dispose the Punishment Roll against the delinquent, as per G.O.Ms.No.458, G.A.(Ser.C) Dept., dated 22.9.2009 r/w Govt. Memo No.2598/65-2 (Ser.C) dated 25.9.1965, since the Government is competent to impose such penalties, as deemed fit.

3. In the reference 2nd read above, the report of the enquiry officer has been communicated to the charged officer, through the DGP, AP, Hyderabad, with a request to submit his explanation, if desires, within (15) days from the date of receipt of the same as required under APCS (CC&A) Rules, 1991. The Charged Officer acknowledged the same on **20.06.2012**. But no reply has been received from the charged officer. In the mean time, the charged officer has retired from service on **31.08.2012**, on attaining the age of superannuation, being his date of birth is **27.08.1954**, without concluding the disciplinary proceedings pending against him.

4. The Government, after careful examination of the matter, by accepting the findings of the Inquiry Authority and based on the records made available, keeping in view of the (12) criminal cases pending against him, have provisionally decided to impose the penalty of **withholding of 100% cut in pension permanently**, on Sri P.Appa Rao, (f) DSP (AR), Nizamabad, now retired from Machilipatnam, Krishna District, under Rule (9) of A.P. Revised Pension Rules, 1980 and accordingly, in Govt. Memorandum 4th read above, while furnishing a copy of inquiry report, a show cause notice was issued to the said Retired Charged Officer, duly specifying the proposed penalty, as required under A.P. Revised Pension Rules, 1980. The charged officer in the reference 5th read above has submitted his detailed explanation to the show cause notice and requested the Government to drop further action, for the reasons mentioned therein.

5. Government after careful examination of the explanation of the charged officer, with reference to the records made available, decided to confirm the provisional decision of imposing penalty of **withholding of 100% pension permanently** on Sri P.Appa Rao, (f) DSP (AR), Nizamabad, now retired from Machilipatnam, Krishna District, as his representation has no merits worth consideration.

6. The Secretary, Andhra Pradesh Public Service Commission, in his letter 7th read above, has conveyed the concurrence of the Commission on the proposal of the Government.

7. Government after careful examination of the entire matter hereby impose the penalty of **withholding of 100% pension permanently** on Sri P.Appa Rao, (f) DSP (AR), Nizamabad, now retired from Machilipatnam, Krishna District, under Rule-9 (1) of A.P. Revised Pension Rules, 1980, read with rule 20 of APCS (CC&A) Rules, 1991.

10. A copy of the letter 7th read above received from the Secretary, Andhra Pradesh Public Service Commission, is herewith furnished to Sri P.Appa Rao, (f) DSP (AR), Nizamabad, now retired from Machilipatnam, Krishna District, as required under Rule-44 of APCS (CC&A) Rules, 1991.

11. The Director General of Police, A.P., Hyderabad, is requested to take follow up action on implementation of the said penalty.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General of Police, A.P., Hyderabad

Sri P.Appa Rao, (f) DSP (AR), Nizamabad, now retired from Machilipatnam, Krishna District,

through Director General of Police, A.P., Hyderabad

Copy to:

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Accountant General of Andhra Pradesh, Hyderabad.

The Director of Treasuries & Accounts, A.P. Hyderabad.

The Secy, APVC, Hyderabad

// FORWARDED :: BY ORDER//

SECTION OFFICER